



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Applicant: MARK H. NAEDLER
Serial No.: 09/379,148
Filing Date: AUGUST 21, 1999
For: VEHICLE TIRE INFLATION
SYSTEM

§ Docket No.: NAED 001
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§ Art Unit: 3617
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§ Examiner: Nguyen, L
§

#9
AMW
5-8-01

Assistant Commissioner for Patents
Washington, D.C. 20231

**COMMENTS ON "DETAILED ACTION"
ACCOMPANYING NOTICE OF ALLOWABILITY**

Sir:

In response to the Examiner's Analysis of Patentability, Applicant's attorney feels that it is necessary to note that the Examiner's comments regarding "allowable subject matter" in this patent application is not consistent with the language of independent Claims 1, 9 and 19.

Thus, with respect to each of the allowed claims, the Examiner does not recognize the Tire Inflation System for a vehicle set forth in the preamble of each independent claim, preceding the expression "the improvement comprising". This preamble sets forth Applicant's recognition of the prior art and contains terminology essential as an antecedent basis for limitations in the body of the claims following the preamble.

Thus, with respect to Claim 1, for example, the comments do not acknowledge:

(1) the requirement that the first rotary union member has a first elongate opening therethrough,

- (2) that the rotary union has a second elongate opening therethrough in general alignment with the first opening and a seal ring carried thereabout,
- (3) that the flexible tube has a first end which extends into the first opening, and further extends sealably through the first seal ring,
- (4) that the flexible tube has a second end which extends into the second opening in the second rotary union member and which extends sealably through the second seal ring, whereby the tube may flex at each end at adjacent said openings in the first and second members, and
- (5) that at least one of the seal rings is dynamic to accommodate rotation of the hubcap in relation to the axle.

It should further be noted that each of independent Claims 9 and 10 omits some of the limitations of Claim 1, as well as each other, while adding other limitations. Thus, it seems to Applicant that, for the Examiner's "comments" to be complete, they should recognize the contrast between Claims 9 and 19, not only with respect to independent Claim 1, but also with respect to one another.

Although Applicant received a "Search Report" in corresponding U.K. Application Serial No. 00306035.7, the only prior art cited in it was Naedler Patent No. 5,769,979, which of course has been the focal point of the Examiner's Action on the claims of this U.S. application. Hence, the notification of that Report by way of an Information Disclosure Statement was totally unnecessary, as it would add nothing to the Examiner's knowledge of the prior art.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D. C. 20231 on March 27, 2001



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